

THE HARMAN FIRM, LLP

Attorneys & Counselors At Law
www.theharmanfirm.com

September 15, 2017

VIA ECF

Hon. Vernon S. Broderick
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *De La Cruz v. Trejo Liquors, Inc.* 16-cv-4382

Dear Judge Broderick:

We represent Plaintiffs Paulino De La Cruz and Juventino Ramos in the above-referenced action. We write to report that Defendant Johanny Trejo has not responded to Plaintiffs' counsels' attempts to schedule a time to meet and confer regarding the submission of a proposed case management plan and to request a 14-day extension of time for Plaintiffs to file their anticipated motion for default judgment against Defendant Trejo Liquors, Inc.

On August 22, 2017, in compliance with Your Honor's August 18, 2017 Order (Docket Entry No. 61), Plaintiffs' counsel sent Defendant Trejo the a letter to alert her of the Court's deadline to submit a case management plan and to schedule a time to meet and confer. On August 23, 2017, we requested that Defendants' former counsel, Argilio Rodriguez, Esq. docket Defendant Trejo's home address, telephone number and email address so that the parties may communicate more easily with each other. On August 24, 2017, the Court partially granted that request (Docket Entry No. 64), ordering that Defendant Trejo provide a notice of change of address that includes a current telephone number and email address by no later than September 4, 2017. The Clerk of the Court mailed a copy of that order to Defendant Trejo, who is presently *pro se* after failing to obtain counsel.

Defendant Trejo has violated the Court's August 24, 2017 Order by failing to provide a notice of change of address that includes a current telephone number and email address; to date, she has not filed anything. Also, Defendant Trejo has not responded to any of Plaintiffs' counsels' letters requesting a time to schedule a meet and confer regarding the Court's August 14, 2017 Order, requiring Plaintiffs and the remaining individual Defendant, Ms. Trejo, to meet and confer and submit a proposed case management plan by September 15. As such, Plaintiffs cannot comply with the August 10, 2017 order. Plaintiffs intend to file a motion to show cause why Defendant Trejo should not be held in contempt of court for violating court orders by failing to provide a notice and failing to meet and confer.

Also, on September 1, 2017, Plaintiffs moved for entry of default judgment against Defendant Trejo Liquor's Inc. (Docket Entry Nos. 65-66) to obtain a Certificate of Default so that Plaintiffs may move for Default Judgment. Plaintiffs, however, have not received a Certificate of Default; we are in the process of correcting any issues in our motion for entry of

220 Fifth Avenue, Suite 900
New York, New York 10001
T 212 425 2600 F 212 202 3926

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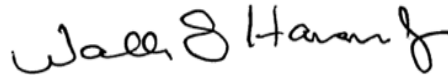
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default judgment with the Court of the Clerk. As such, Plaintiffs respectfully request a 14-day extension to file their anticipated motion for Default Judgment, in accordance with Your Honor's Default Judgment Procedure in Attachment A of Your Honor's Individual Rules and Practices. If granted, Plaintiffs' motion will be due by September 29, 2017.

Thank you for Your Honor's time and attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Walker G. Harman, Jr.", with a stylized flourish at the end.

Walker G. Harman, Jr.

cc: Trejo Liquors, Inc. and Johanny Trejo (via certified mail)
948 Amsterdam Avenue
New York, NY 10025